United Nations A/61/678–S/2006/1027

General Assembly
Security Council

Distr.: General
26 December 2006

Original: English

General Assembly
Sixty-first session
Agenda items 11, 17, 27, 66 and 108 (o)

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Letter dated 22 December 2006 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I am writing with reference to three letters (A/61/627-S/2006/966, A/61/628-S/2006/967 and A/61/629-S/2006/968) submitted by Azerbaijan on the constitutional referendum conducted on 10 December 2006 in Nagorno Karabagh.

In the situation of no-war-no-peace that has prevailed for over 15 years now, the people and authorities of Nagorno Karabagh, to their credit, have managed to build an effective governance system, lay down foundations for political institutions, develop legislation in accordance with international standards, appoint their authorities at all levels through elections and adhere to international humanitarian law. The people of Nagorno Karabagh have demonstrated their unswerving ability to rule themselves, to protect their territory and freedom and to meet their international commitments, such as upholding the ceasefire. In their continuous efforts to build a democratic society, they have recognized the need for a basic legal framework, and have adopted the internationally recognized practice of holding a referendum as the only acceptable way to achieve collective decision-making in any society based on the rule of law.

Thus holding the referendum was a necessary and overdue step to establish a basic legal framework for the normal functioning of society. It shall in no way be interpreted as a referendum on a status-related issue, which is the core element of

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the negotiations within the Organization for Security and Cooperation in Europe (OSCE) Minsk Group.

The rejection of the democratic aspirations of the people of Nagorno Karabagh as an obstruction to the peace process is misguided and counterproductive. The adoption of proper legislation and basic laws, such as a constitution, is a prerequisite for the lawful existence of any society, regardless of its current status.

What really obstructs the peace process is Azerbaijan's avoidance of direct negotiations with the authorities of Nagorno Karabagh, its recurring belligerent calls and persistent efforts to sidetrack the Minsk Group negotiation process.

The Republic of Armenia remains strongly committed to the Nagorno Karabagh peace process within the OSCE Minsk Group, which is the only proper framework for the resolution of the Nagorno Karabagh conflict, and will respect all the agreements reached in that process.

I should be grateful if you would have the present letter circulated as a document of the sixty-first session of the General Assembly, under agenda items 11, 17, 27, 66 and 108 (o), and of the Security Council.

(Signed) Armen **Martirosyan**
Ambassador
Permanent Representative